1-15-02

A

Practitioner's Docket No. 915-003.2

PATENT



Preliminary Classification:

Proposed Class:

Subclass:

WARNING:

NOTE:

"All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129." M.P.E.P. § 601, 7<sup>th</sup> ed.



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

#### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): TUIJA IIURTTA

WARNING: 37 C.F.R.§ 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(I) is filed supplying or changing the name or names of the inventor or inventors."

For (title): A METHOD OF AND APPARATUS FOR DIRECTING PACKET ENTITIES

### **CERTIFICATION UNDER 37 C.F.R. § 1.10\***

(Express Mail label number is mandatory) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date, <a href="January 9, 2002">January 9, 2002</a>, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number <a href="EV005523653US">EV005523653US</a>, addressed to the: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Judith Schick

(type or print name of person mailing pape

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal [4-1] page 1 of 11)

۱.	Type of Application				
	This new application is for a(n)				
			(check one applicable item below)		
	X	Or	iginal (nonprovisional)		
		De	sign		
			Plant		
NΑ	RNIN	iG:	"Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 37(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.		
NA	RNIN	IG:	Do not use this transmittal for the filing of a provisional application.		
VO	TE:	AP a	one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW PLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION PLICATION.		

## Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designated the United States of America; or
- (ii) Complete as set forth in § 1.51(b), or

Continuation-in-part (C-I-P)

- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(I) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

Divisional Continuation

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120,121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 199, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-byclaim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

WA	RNING:	When the last day of pendency of a provisional application falls on a Saturday, Sunday, of Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application <b>must</b> be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 178(a)(3).					
		The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.					
3.	Paper	s Enclosed					
	(D <u>12</u> Pa <u>4</u> Pa	equired for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 esign) Application ages of specification ages of claims heets of drawings					
	WARNI	NG: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be or strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. It corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, set Notice of March 9, 1988 (1990 O.G. 57-62).					
	NOTE <sup>.</sup>	"Identifying indicia, if provided, should include the application number or the title of the invention inventor's name, docket number (if any), and the name and telephone number of a person to can if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm (5/8 inch) down from the top of the page " 37 C.F.R. § 1.84(c)).					
		(complete the following, if applicable)					
		The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).					
		The enclosed drawing(s) are in color. Three (3) sets of color drawings and a "PETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. §§ 1.84(a)(2) and 1.84(b).					
	⊠ □	l formal informal					
	<b>B.</b> O	ther Papers Enclosed					
	1_P	ages of declaration and power of attorney ages of abstract other <u>(title page)</u>					
4.	Addit	ional papers enclosed					
	□ Ai	mendment to claims					
	fil	ancel in this application claimsbefore calculating the ing fee. (At least one original independent claim must be retained for filing urposes.)					

☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

□ Preliminary Amendment					
☐ Information Disclosure Statement (37 C.F.R. § 1.98)					
☐ Form PTO-1449 (PTO/SB/08A and 08B)					
Citations					
Declaration of Biological Deposit					
☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence					
<ul> <li>Authorization of Attorney(s) to Accept and Follow Instructions from Representative</li> </ul>					
□ Special Comments					
□ Other					
5. Declaration or oath (including power of attorney)					
NOTE: A newly executed declaration is not required in a continuation or divisional application provided that the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) who are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47, then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently executed declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)-(3).					
A declaration filed to complete an application must be executed, identify the specification to which it is directed, identify each inventor by full name including family name and at least one given name, without abbreviation together with any other given name or initial, and the residence, post office address and country or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)-(4).					
NOTE. "The inventorship of a nonprovisional application is that inventorship set forth in the oath of declaration as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath of declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b) unless a petition under this paragraph accompanied by the fee set forth in § 1.17(I) is filed supplying or changing the name or names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).					
☐ Enclosed					
Executed by					
(check all applicable boxes)					
<ul> <li>inventor(s).</li> <li>legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.</li> <li>joint inventor or person showing a proprietary interest on behalf of invento who refused to sign or cannot be reached.</li> </ul>					
☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F. R. § 1.47 is also attached. See item 13 below for fee.					
☑ Not Enclosed					

NO	TE:	the l may FOF	U.S. a be ti	e filing is a completion in the U.S. of an International Application or where the completion of application contains subject matter in addition to the International Application, the application reated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE W APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION D.				
				Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of <i>all</i> the above named inventor(s).				
(7	The (	decla	arati	on or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).				
				☐ Showing that the filing is authorized.  (not required unless called into question. 37 C.F.R. § 1.41(d))				
6.	lnv	entc	rsh	ip Statement				
WA	RNIN	G:	G: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.					
The	e inv	ento	rshi	p for all the claims in this application is:				
		The	sar	ne.				
				or				
		Not at t	the he ti	same. An explanation, including the ownership of the various claims me the last claimed invention was made,				
			is s	ubmitted.				
			will	be submitted				
7.	Laı	ngua	age					
NO	TE:	An I requ	Engli. iired	ation including a signed oath or declaration may be filed in a language other than English. Sh translation of the non-English language application and the processing fee of \$130.00 by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may the Office. 37 C.F.R. § 1.52(d).				
		×		English Non English				
				The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).				
8.	As	sign	mei	nt				
		X	An	assignment of the invention to <u>Nokia Corporation</u>				
				is attached. A separate □ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or □ FORM PTO 1595 is also attached. will follow.				
NO	TE <sup>.</sup>	"If a	an a: licatio	ssignment is submitted with a new application, send two separate letters-one for the on and one for the assignment "Notice of May 4, 1990 (1114 O.G. 77-78).				

(New Application Transmittal [4-1] page 5 of 11)

WARNII						'3(b)" must be filed when a April 30, 1993, 1150 OG 62-64.	
□ Th	This is a □ continuation □ divisional application and the assignment documen ne parent application 0 / was filed on						
						Reel	
						Frame	
9. Ce	rtified Copy						
Ce	rtified copy(ie	es) of applic	ation(s)				
Co	untry		App	oln. No.		Filed	
Co	untry		Арр	oln. No.		Filed	
from w	hich priority is	s claimed:					
	, ,	attached.					
	U.S. application § 120 is itself of PAGES FOR APPLICATION  e Calculation	n or Internation entitled to prior R NEW APF I(S) CLAIMED	nal Application fr ity from a prior fo PLICATION TR. . § 1.16)	om which oreign ap	n this application plication, then co	I directly relates. If any parent claims benefit under 35 U.S.C. implete item 18 on the ADDED BENEFIT OF PRIOR U.S.	
			CLAIMS	AS FILE	ΞD		
Numbe	er filed	a tra	Number Ext	ra	Rate	Basic Fee 37 C.F.R. § 1.16(a) \$740.00	
Total C (37 C.F	claims F.R. § 1.16(c)	) 26 =	6	х	\$18.00 =	108.00	
	ndent Claims R. § 1.16(b)		0	х	\$84.00 =		
	e dependent (37 C.F.R. §			+	\$260.00		
	☐ Amenda	ment deletin	ling extra clai ng multiple-de s is not being	penden	icies is enclos	sed.	
NOTE:	amendment, p Office in any n	rior to the exp	iration of the tım ficıency. 37 C.F.I	e period .	set for response	id or the claims canceled by by the Patent and Trademark \$.848,00	

E	3. □	<ol> <li>Design application</li> <li>(\$310.00 – 37 C)</li> </ol>		
			Filing Fee Calculation	\$
C	c. 🗆	I Plant application		
	(\$	3480.00 - 37 C.F.R.	§ 1.16(g))	
			Filing Fee Calculation	\$
11. Sma	ll Ent	tity Statement(s)		
		ment(s) that this is a e) attached.	a filing by a small entity un	der 37 C.F.R. §§ 1.9 and 1.27
WARNING	the afi inc Th (in ap co § sta rei or	e status is available and fect any other applicate directly dependent upon a refiling of an applicate cluding a continued population requires a new professional profession of 121, or 3 attement filed in the pricipal attemption includes a copy of the still proper and description and description and description attemption of the still proper and description attemption of the still proper and description are still proper and description attemption of the still proper and description are still proper and description at the still proper and description attemption of the still proper and description attemption at the still proper and description attemption at the still proper and description attemption at the still proper and description attemption	I desired. Status as a small entity ion or patent, including application the application or patent in whation under § 1.53 as a continuation as to continued entication. A nonprovisional application of a prior application, or or application or in the patent if es a reference to the statement instatement in the prior application.	in each application or patent in which in one application or patent does not ons or patents which are directly or ich the status has been established. ation, division, or continuation-in-part 1.53(d)), or the filing of a reissue ntitlement to small entity status for the ation claiming benefit under 35 U.S.C. a reissue application may rely on a the nonprovisional application or the in the prior application or in the patent or in the patent and status as a small entity basic statutory filing fee will be 7 C.F.R. § 1.28(a)(2).
WARNING	sta	mall entity status mus atement can <b>unequivo</b> o v. 2, July 1996 (emphas	cally make the required self-cert	person or persons signing the ification." M.P.E.P., § 509.03, 6 <sup>th</sup> ed.,
		(cc	omplete the following, if app	olicable)
			I entity was claimed in prio	• •
		benefit is being o	, filed on claimed for this application	, from which under:
		and which st □ A copy c	□ 120, □ 121, □ 365(c), atus as a small entity is stil f the statement in the prior	application is included.
		Filing Fe	e Calculation (50% of <b>A</b> , <b>B</b>	•
			\$	
NOTE:	filed		date of timely payment of a fu	ry statement and a refund request are Ill fee. The two-month period is not
12. Requ	ıest f	for International-T	ype Search (37 C.F.R. § 1	.104(d))
			(complete, if applicable)	
			ational-type search report on on the merits takes plac	for this application at the time e.

# 13. Fee Payment Being Made at This Time

×	Not	t Enclosed			
		No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § 1.16(e) can subsequently.)	be paid		
	End	closed			
		Filing fee	\$		
		Recording assignment (\$40.00 – 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION.")	\$		
		Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.  (\$130.00 - 37 C.F.R. §§ 1.47 and 1.17(i))	\$		
		For processing an application with a	Ψ		
	_	specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$		
		Processing and retention fee (\$130.00, 37 C.F.R. §§ 1.52(d) and 1.21(l))	\$		
		Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$		
NOTE:	E: 37 C.F.R. § 1.21(I) establishes a fee for processing and retaining any application that is for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as to 37 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of application, either the basic filing fee must be paid, or the processing and retention fee must be paid, within 1 year from the notification under § 53(f).				
	Tot	al fees enclosed	\$		
14. Me	thoc	I of Payment of Fees			
	Atta	ached is a $\square$ check $\square$ money order in the amount of $\$$			
	Aut	horization if hereby made to charge the amount of \$			
		to Deposit Account No			
		to credit card as shown on the attached credit card informauthorization form PTO-2038	mation		
		arge any additional fees required by this paper or credit any omanner authorized above. A duplicate of this transmittal is a			
NOTE:	Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).				

## 15. Authorization to Charge Additional Fees

WARNING:		If no fees are to be paid on filing, the following items should <u>not</u> be completed.			
WARNIN	IG:	Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized			
		The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No			
		□ 37 C.F.R. § 1.16(a), (f), or (g) (filing fees) □ 37 C.F.R. § 1.16(b), (c), and (d) (presentation of extra claims)			
NOTE:	pres time migi	use additional fees for excess or multiple dependent claims not paid on filing or on late entation must only be paid or these claims canceled by amendment prior to the expiration of the period set for response by the P.T.O. in any notice of fee deficiency (37 C.F.R. § 1.16(d)), if he best not to authorize the P.T.O. to charge additional claim fees, except possibly when any with amendments after final action.			
		☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)			
		□ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))			
		□ 37 C.F.R. § 1.17 (application processing fees)			
WARNIN	G:	"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent of future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).			
		☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance pursuant to 37 C.F.R. § 1.311(b))			
NOTE:	of a	e an authorization to charge the issue fee to a deposit account has been filed before the mailing Notice of Allowance, the issue fee will be automatically charged to the deposit account at the of mailing the Notice of Allowance. 37 C.F.R. § 1.311(b).			
NOTE:	sma issu mad	F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to entity status must be filed in the application prior to paying, or at the time of paying, fee." From the wording of 37 C.F.R § 1.28(b), (a) notification of change of status must be even if the fee is paid as "other than a small entity" and (b) no notification is required if the ge is to another small entity.			

## 16. Instructions as to Overpayment

Customer No. 004955

		• •					
NOTE:	"Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).						
		Credit Account No					
		Refund					
		ary 9, 2002 Philip Mooning					
Date: •	Janu	ary 9, 2002 SIGNATURE OF PRACTITIONER					
Reg. N	lo. S						
Tel. No	o. <b>(20</b>	03) 261-1234 Francis J. Maguire					
		(type or print name of practitioner					
		Ware, Fressola, Van Der Sluys <u>&amp; Adolphson, LLP</u>					
		P.O. (Correspondence) Address					
		Building Five, Bradford Green 755 Main Street, P.O. Box 224					

Monroe, CT 06468

	Incorporation by reference of added pages				
	(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.)				
		Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed  Number of pages added			
	П	Plus Added Pages for Papers Referred to in Item 4 Above			
		Number of pages added			
		Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.			
		Number of pages added			
		Plus "Assignment Cover Letter Accompanying New Application"			
		Number of pages added			
×	Sta	tement Where No Further Pages Added			

(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.